

116310.0030

17450
PATENT

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

Date: 11 FEB. 2002

Name: GEORGE CHACLAS

Signature: *George Chaclos*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Edward L. Carver

Serial No.: 09/039,789

Filed: March 16, 1998

)
)
) Group Art Unit: 1743

) Examiner: A. Soderquist

) Docket No. 116310.0030

For: **APPARATUS FOR MAKING A PLURALITY OF
REAGENT MIXTURES AND ANALYZING PARTICLE
DISTRIBUTIONS OF THE REAGENT MIXTURES**

Commissioner for Patents
Washington, DC 20231

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith for filing in connection with the above-identified patent application are the following documents:

1. A Response Under 37 C.F.R. § 1.111;
2. a Petition for a three-month extension of time; and
3. a check of \$460.00 for payment of fees associated with this submission, which

have been calculated as follows:

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Claim Fees:

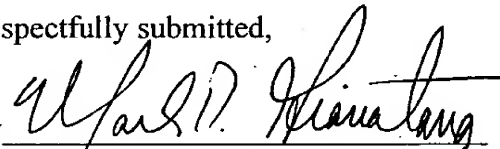
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee
Total	16	20	0	\$9.00	\$0.00
Independent Claims	4	4	0	\$42.00	\$0.00
Multiple Dependent Claim	0				
				Total:	\$0.00

The total fee for a three-month extension of time is \$460.00. There are no claim fees associated with this response. Accordingly, enclosed is a check in the amount of \$460.00 to cover all fees associated with this submission.

No additional fee is believed to be required; however, if an additional fee or extension is required, please consider this a petition therefor, or otherwise if necessary to cover any deficiency in fees already paid, authorization is hereby given to charge our Deposit Account No. 50-1631. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

By



Mark D. Giarratana
Attorney for Applicant
Registration No. 32,615

Date: February 11, 2002

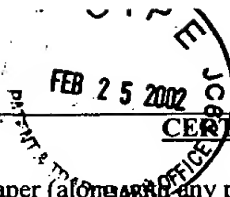
PTO Correspondence Address:

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Date: *11 FEB. 2002* Name: *GEORGE CHACLAS* Signature: *George Chaclos*

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In re Application of:

Edward L. Carver

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Group Art Unit: 1743

Examiner: A. Soderquist

Docket No. 116310.0030

D. Spawon
#31
3-6-02

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Commissioner for Patents
Washington, DC 20231

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RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Sir:

In response to the Office Action dated August 9, 2001, response to which was due on or before November 9, 2001, and for which a petition for 3-month extension of time is attached hereto, please enter and consider the following remarks:

REMARKS

Reconsideration of the above identified application in view of the following remarks is respectfully requested.

Claims 27-30, 32-35, and 38-45 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Yamamoto in view of Kabata, Taylor, Dixon, Halliday, Robertson or O'Daly and Callan or Weiser. Claims 27-30, 32-35 and 38-45 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Collect Hematology in view of Kabata, Taylor, Dixon, Halliday,